

Legislative Bulletin.....April 27, 2005

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Summary of the Legislation Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$0

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.Res. 224 — Providing for the expenses of certain committees of the House of Representatives in the One Hundred and Ninth Congress — *as reported* (Ney)

Order of Business: The resolution is scheduled for consideration on April 27, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 224 would set funding levels, including staff salaries, for all 109th Congress Committees (20 total), while setting the amounts they are not to exceed for each session. The total amount authorized is \$257.4 million, an increase of 10.11 percent over the 108th Congress.

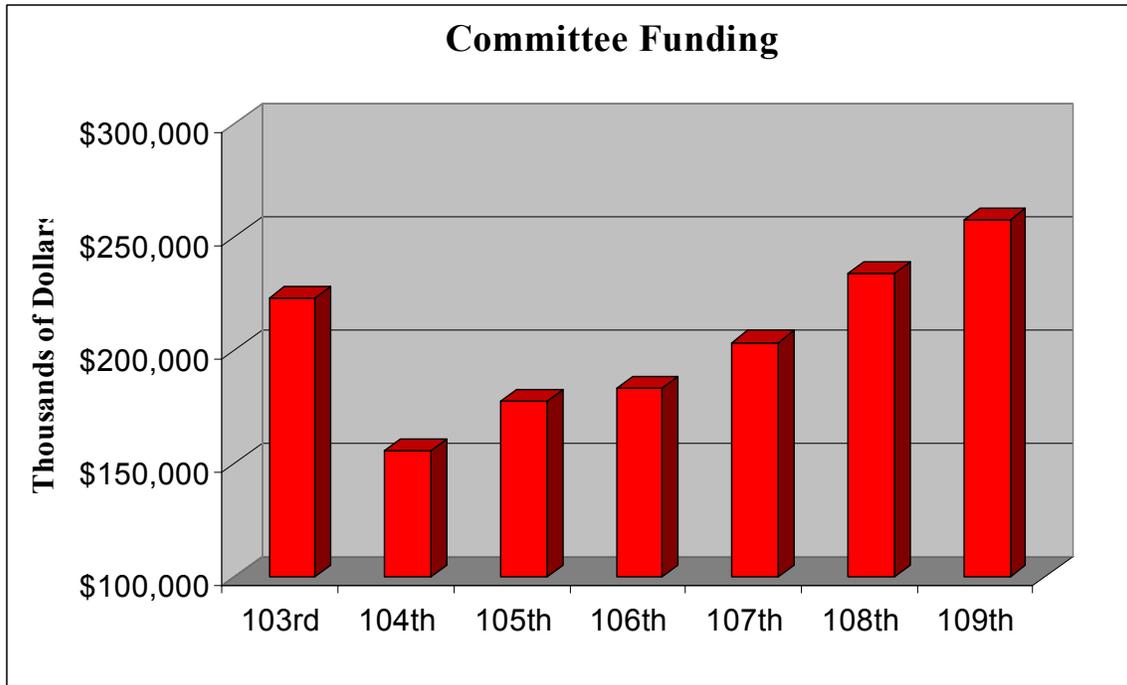
In addition, the resolution sets additional requirements for Committee franking and mass mailing privileges. The bill prohibits the use of funds for mass mailing purposes unless several criteria are met:

- The mailing is a press release to the media, a hearing or markup schedule, or a request for the views of the public or other authorities on a matter that the committee has jurisdiction over and is essential to the work of the committee, or
- Prior to the mailing, the Franking Commission determines that:
 - a) the mailing is “ordinary and necessary” to the normal and regular business of the committee, and
 - b) the mailing would be in compliance with the normal requirements and prohibitions that Members are subject to, and
 - c) the total amount that will be spent in franking costs by the committee during the current session will not exceed \$5,000.

Previously, Committees were not subject to the same franking limitations as Member offices, nor was there a cap on the amount per session that could be spent on mass mailings.

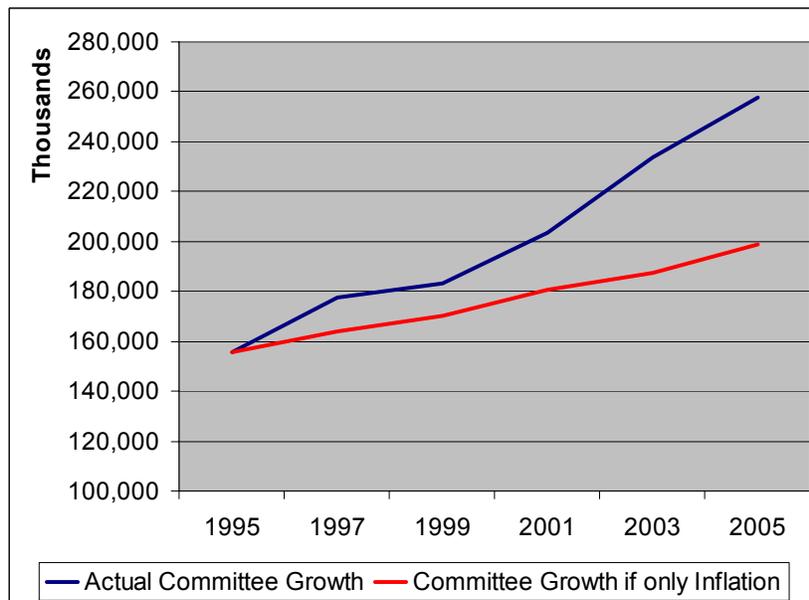
Possible Conservative Concerns: When Republicans gained control of the House in the 104th Congress, Committee funding levels were dramatically decreased by more than 30 percent. Since then, however, they have risen steadily, particularly in the last three Congresses (see table and graph).

Some have argued that Committee funding should be adjusted for inflation. Committee funding levels in this bill are 3.8 percent over inflation since the 108th Congress and 29.3 percent over inflation since the 104th Congress (the first year of GOP control). If Homeland Security is excluded (since it did not exist in the 104th), Committee funding levels are 22.3 percent over inflation since the 104th Congress. In addition, adjusting Committee funding based on inflation rates may not be the most appropriate gauge. According to the Bureau of Labor Statistics, the mostly widely used and accepted measure of inflation is the Consumer Price Index (CPI). According to CRS, the top three items used to determine inflation are housing (32.6%), transportation (17.4%), and food and beverage (15.2%). It could be argued that committee funding is not affected by housing costs, and minimally affected by transportation and food and beverage costs, and that therefore committee funding should not be tied or compared to inflation. →



Congress	104th	105th	106th	107th	108th	109th
Percent Change	-30.27%	14.19%	3.15%	10.98%	14.87%	10.11%
Percent Change*	-30.27%	14.19%	3.15%	10.98%	9.49%	9.24%

* Excludes Homeland Security Committee funding, which did not exist in the 104th Congress and was created 108th Congress.



Committee Action: H. Res. 224 was introduced on April 21, 2005, and referred to the Committee on House Administration. The bill was reported out by the full Committee on April 21, 2005, by voice vote. No Committee Report is available.

Cost to Taxpayers: The Committee funds were appropriated in the FY05 Omnibus. This resolution divides up those appropriated funds between the specific Committees. The total amount authorized is \$257.4 million, an increase of 10.11 percent over the 108th Congress.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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H.Res. 210 – Supporting the goals of World Intellectual Property Day, and recognizing the importance of intellectual property in the United States and worldwide — *as introduced (Wexler)*

Order of Business: The resolution is scheduled to be considered on Wednesday, April 27th, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 210 resolves that the House of Representatives, “supports the goals of World Intellectual Property Day to promote, inform, and teach the importance of intellectual property as a tool for economic, social, and cultural development, and congratulates the World Intellectual Property Organization for building awareness of the value of intellectual property and developing the necessary infrastructure to help citizens take full advantage of their own creativity.” Additionally, the measure states that the House “applauds the ongoing contributions of human creativity and intellectual property to growth and innovation and for the key role they play in promoting and ensuring a brighter and stronger future for the Nation, and recognizes that intellectual property continues to face serious, new challenges, which affect prospects for future growth of the United States economy.”

Additional Information: According to the resolution, “April 26, 1970, was the date on which the Convention establishing the World Intellectual Property Organization (WIPO) entered into force, and in 2000, member states of the World Intellectual Property Organization established World Intellectual Property Day to celebrate the contribution made by innovators and artists to the development and growth of societies across the globe and to highlight the importance and practical use of intellectual property in our daily lives.” H.Res. 210 also states, “Intellectual property is the only sector where the United States has a trade surplus with every nation in the world.”

The United States is one of 182 member states in the WIPO. Under the direction of Under-Secretary and Director Jon W. Dudas, the US Department of Commerce-Patent and Trademark Office is responsible for US involvement in the WIPO. WIPO Director General Kamil Idris made the following statement regarding member states’ proper government role: “Each government has the responsibility to create the environment and nationwide mind-set to promote innovation, since it is national strategies and policies in support of innovation that can highlight its benefits to the public and strengthen the mechanisms that recognize and reward the efforts made by domestic innovators. The core of WIPO’s

message is two-fold: that the IP system is a vital tool for economic growth, but it is a catalyst. To function, it needs that IP policies are integrated into national economic and development strategies. Such an integration permits an across-the-board and holistic approach to encouraging and leveraging innovation nationwide, and catalyzes the creation and exploitation of valuable knowledge assets.” (Source: http://www.wipo.int/about-wipo/en/dgo/dgki_2005.html)

Additional information regarding WIPO’s vision, policy framework, and strategic goals may be found at <http://www.wipo.int/about-wipo/en/dgo/pub487.htm#vision>.

Committee Action: On April 14, 2005, the bill was introduced and referred to the House Judiciary Committee, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Res. 22 — Expressing the Sense of the House that American small businesses are entitled to a small business bill of rights –*as reported* (Keller)

Order of Business: The bill is scheduled to be considered on Wednesday, April 27th, subject to a closed rule (H.Res. 235).

Summary: H.Res. 22 resolves, “That it is the sense of the House of Representatives that American small businesses are entitled to the following Small Business Bill of Rights:”

- “The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health care coverage;
- “The right to simplified tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow;
- “The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs;
- “The right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small businesses while hurting production and preventing job creation;
- “The right to relief from high energy costs, which pose a real threat to the survival of small businesses, to be accomplished by reducing the Nation's reliance on imported sources of energy and encouraging environmentally-sound domestic production and conservation of energy;
- “The right to equal treatment, as compared to large businesses, when seeking access to start-up and expansion capital and credit; and
- “The right to open access to the Government procurement marketplace through the breaking up of large contracts to give small business owners a fair opportunity to compete for Federal contracts.”

Additional Information: According to the amended resolution, “more than 90 percent of all American employers are small businesses, which generate approximately 70 percent of the new jobs created in the United States each year.” Additionally, the measure states, “60 percent of the 45,000,000 Americans without health insurance are small business employees and their families, and most small businesses do not provide health insurance to their employees, primarily because of the surging cost.” H.Res. 22 also concludes, “frivolous lawsuits and the rising costs of liability insurance represent serious threats to small business owners and Congress can help small businesses grow by establishing a climate to encourage small businesses to create jobs and offer more affordable health insurance to employees.”

Examples of legislation currently before the House that include: assisting small businesses provide health insurance, as well as curbing frivolous law suits,

[H.R. 525](#) - The Small Business Health Fairness Act of 2005

[H.R. 534](#) - The Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2005

Committee Action: On January 4, 2005, the bill was introduced and referred to the House Committee on Small Business, which considered it, amended the bill, and reported it to the full House by a voice vote on April 21, 2005. On Tuesday, March 8, 2005, the Committee held a hearing to hear testimony concerning the measure.

Cost to Taxpayers: CBO estimates the resolution will have no cost because it does not change existing law and that implementation of H. Res. 22 will not significantly increase administrative costs.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: According to [CR 109-052](#), the Committee finds the authority for this legislation in Article I, Section 8, Clause 18 of the Constitution of the United States (to make all laws which shall be “necessary and proper”).

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